

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

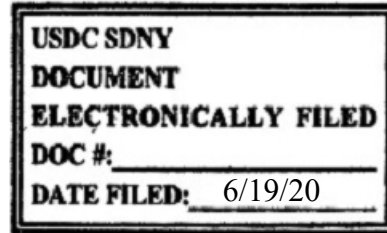
EFCG, INC.,

Plaintiff,

-against-

AEC ADVISORS, LLC, et al.,

Defendants.



19-CV-8076 (RA) (BCM)

**ORDER**

**BARBARA MOSES, United States Magistrate Judge.**

The Court conducted a telephonic discovery conference on June 16, 2020. Prior to the conference, the Court received and reviewed (1) plaintiff's letter-motion to compel discovery from defendants, dated May 21, 2020 (Dkt. No. 73); (2) defendants' letter in opposition, dated May 27, 2020 (Dkt. No. 76); (3) plaintiff's reply letter, dated May 29, 2020 (Dkt. No. 78); and (4) the parties' joint letter, dated June 11, 2020 (Dkt. No. 83), timely submitted pursuant to the Court's June 2, 2020 Order (Dkt. No. 80), outlining the discovery disputes still at issue.

For the reasons stated on the record during the June 16 conference, plaintiff's May 21 letter-motion is GRANTED IN PART as follows:

1. Plaintiff's Rule 34 Demand for Inspection (Dkt. No. 83-1)

For each of the devices described in plaintiffs' Demand for Inspection, defendants shall promptly produce (a) directory and file listings, and (b) access logs, including USB logs, LNK files, and shellbags. Defendants need not produce information concerning any documents or data with a created or modified date after March 31, 2019. The Court notes that there is no confidentiality or protective order on the docket of this action. Pending the negotiation and submission of such an order, defendants may designate portions of the documents and information produced pursuant to this paragraph "attorneys' eyes only," meaning that defendants' counsel of record may not further disseminate such material or make use of it except for purposes of this action.

2. Plaintiff's First Set of Requests for Admission (RFAs) (Dkt. No. 83-2)
  - a. Defendants need not provide further responses to RFAs 53, 137, 143, 149, 170, 171, 172, 173, or 174.
  - b. Defendants shall promptly answer RFAs 107, 117, 118, 119, 120, 121, 122, 123, 125, 126, 127, and 135 in compliance with Fed. R. Civ. P. 36.
  - c. To the extent defendants' website uses the terms "closed" and/or "M&A Transactions," as applicable, defendants shall promptly answer RFAs 134, 141, 147, and 153.
3. Extension of Discovery Deadlines
  - a. The parties shall substantially complete written discovery in response to previously served requests, including document production, no later than **July 2, 2020**.
  - b. Depositions shall be completed no later than **August 31, 2020**.
  - c. Expert discovery shall be completed no later than **October 16, 2020**.
  - d. All discovery shall be completed no later than **November 6, 2020**.

With regard to Plaintiff's May 22 letter-motion to compel defendants to comply with a "status quo procedure" (Dkt. No. 74), the Court has received and reviewed the parties' letters in further support, opposition, and reply (Dkt. Nos. 81, 82, 84) and directs the parties to meet and confer again, in a good faith effort to resolve the issue, and submit a joint letter no later than **June 22, 2020**, advising the Court as to whether judicial resolution will be required.

The Clerk of Court is respectfully directed to close the letter-applications at Dkt. No. 73 and Dkt. No 76.

Dated: New York, New York  
June 19, 2020

**SO ORDERED.**



**BARBARA MOSES**  
**United States Magistrate Judge**